

Application No.: 10/633,813
Amendment Dated: May 17, 2007

MTS-3216US1

Remarks/Arguments:

An RCE with a Preliminary Amendment was mailed April 30, 2007.

Claims 1-4, 6-9, 14, 19, and 21-23 are pending in the above-identified application. By the present Supplemental Preliminary Amendment, claims 1, 21, and 23 are amended.

Advisory Action

Applicants acknowledge receipt of the Advisory Action mailed April 4, 2007. The Advisory Action maintained the rejections of claims 1-4, 6-9, 14, and 21 and the objections to claims 19, 22, and 23 set forth in the Office Action mailed November 29, 2006.

Rejections of Claims 1-3 and 21 in view of Takemura

In the Office Action mailed November 29, 2006, claims 1-3 and 21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,172,960 to Takemura et al. ("Takemura"). The Advisory Action mailed April 4, 2007 maintained these rejections.

Although not conceding these rejections, Applicants amend claims 1 and 21 by the present Amendment to expedite prosecution. It is respectfully submitted that claims 1-3 and 21 are patentable over Takemura for the reasons set forth below.

Amended claim 1 includes a feature which is neither disclosed nor suggested by Takemura, namely:

wherein in each of said zones, the second center line (3c) is shifted in a radial direction of said disc, with respect to the first center line (1c) to form a predetermined offset, and **said second center line (3c) is positioned in extension of a guide groove (1) contained in each of said recording tracks in which said first center line (1c) is provided . . .**

The above-quoted feature is found in the originally filed application at page 19, line 17 - page 20, line 2, and in Fig. 1. No new matter has been added. Reference

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numerals from Fig. 1 (copy enclosed with this Amendment) of Applicants' disclosure have been added to the above-quoted portion of claim 1 for convenience in discussing features of the claim below. It is understood that the inclusion of such reference numerals is for discussion purposes only and should not be interpreted as limiting the claim in any way.

In the Advisory Action dated April 4, 2007, the Office asserts that Fig. 3A of Takemura discloses a second center line 22 "shifted in a radial direction on the disc, with respect to the first center line 21 to form a predetermined offset." See *Advisory Action, page 2*. This argument mirrors that presented on page 4 of the Office Action of November 29, 2006. Applicants respectfully contend that the center line of groove 21 and the center line of land 22 of Takemura do not disclose the features of the first and second center lines recited in amended claim 1 for at least the reasons discussed below. Applicant further contend that the center line of groove 21 and the center line of address blocks 16, 17, 18, and 19 also do not disclose these features.

Fig. 3A of Takemura discloses an optical disc that includes a center line (α) of a groove 21 of a recording track, which center line (α) coincides with a center line (β) positioned between first address blocks 16 and 17 and second address blocks 18 and 19. (See enclosed marked-up copy of Fig. 3A of Takemura.) Further, Fig. 3A of Takemura discloses that the optical disc includes a center line (γ) of a land 22 that is separate from groove 21.

An optical disc according to an embodiment of Applicants' present invention, as recited by amended claim 1, includes a first center line (1c) and a second center line (3c) that are contained in an extension area of a guide groove (1). (See enclosed copy of Fig. 1 of the present application.) The first center line (1c) is offset in a radial direction from the second center line (3c) in the extension area of the guide groove (1). In other words, the offset occurs between the center line of the recording track and the center line positioned between address pit sequences in an extension of the guide groove.

The Advisory Action and the previous Office Action assert that the "offset" recited in claim 1 is taught by the displacement of the center line (γ) of land 22 from the center line (α) of groove 21 of Takemura. See *Advisory Action, page 2, and Office Action, page 4*. Applicants note, however, that the center line (γ) of land 22 of

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Takemura is not "positioned in extension of a guide groove contained in each of said recording tracks in which said first center line is provided," as recited by amended claim 1. Rather, in Takemura center line (γ) is outside the extension area of groove 21. Thus, the displacement of center line (γ) from center line (α) of Takemura does not disclose the above-quoted features of claim 1, namely "**said second center line (3c) is positioned in extension of a guide groove (1) contained in each of said recording tracks in which said first center line (1c) is provided,**" as recited by claim 1.

Applicants also note that Takemura's center line (β), about which address blocks 16, 17 and address blocks 18, 19 are disposed, is not offset from the center line (α) of groove 21. In fact, center line (α) coincides with center line (β) in address region 5 of Takemura. Thus, center lines (α and β) do not disclose "**the second center line (3c) is shifted in a radial direction of said disc, with respect to the first center line (1c) to form a predetermined offset,**" as recited by claim 1.

In view of the foregoing remarks, Applicants respectfully contend that Fig. 3A of Takemura does not disclose or suggest all of the features of amended claim 1 and request that the rejection of claim 1 be withdrawn.

Claims 2 and 3 depend from claim 1, and therefore include all respective limitations of claim 1. Accordingly, for at least the same reasons as presented above with respect to claim 1, Applicants respectfully contend that Fig. 3A of Takemura does not disclose or suggest all of the features of claims 2 and 3 and request that the rejections of these claims be withdrawn.

By the present Amendment, claim 21 is amended similarly to claim 1. Accordingly, for at least the same reasons as presented above with respect to claim 1, Applicants respectfully contend that Fig. 3A of Takemura does not disclose or suggest all of the features of claim 21 and request that the rejection of claim 21 be withdrawn.

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Rejections of Claims 3, 4, 6-9, and 14

In the Office Action mailed November 29, 2006, claims 3, 4, 6-9, and 14 were rejected under 35 U.S.C. §103(a) as being obvious over Takemura in view of one or more other references. The Advisory Action mailed April 4, 2007 maintained these rejections.

Claims 3, 4, 6-9, and 14 ultimately depend from claim 1, and therefore include all respective limitations of claim 1. Accordingly, for at least the same reasons presented above with respect to claim 1, Applicants respectfully contend that Fig. 3A of Takemura does not disclose or suggest all of the features of claims 3, 4, 6-9, and 14 and request that the rejections of these claims be withdrawn.

Objections to the Claims

In the Advisory Action of April 4, 2007, claims 19, 22, and 23 are indicated as being objected-to. The Office Action of November 29, 2006 indicates on page 14 that claims 19, 22, and 23 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In the previous Preliminary Amendment, claims 19, 22, and 23 were rewritten to include the features of their base claims. By the present Amendment, claim 23 is amended to enhance clarity. Applicants respectfully contend that claims 19, 22, and 23 are therefore in condition for allowance and request that the objections to these claims be withdrawn.

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Conclusion

In view of the foregoing arguments and amendments, Applicants respectfully contend that the application is in condition and request notification to that effect.

Respectfully submitted,

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Enclosures: (1) Annotated Copy of Fig. 3A of U.S.
Patent No. 6,172,960 to Takemura et al.
(2) Copy Fig. 1 of the Present Application

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (571-273-8300) on the date shown below.

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Beth Johnson

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